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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Claude Q.C. Hayes

Patent No: 6,264,854

Issue Date: July 24, 2001

For: **HEAT ABSORBING TEMPERATURE CONTROL DEVICES AND METHOD**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO ACCEPT AN UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE TO REINSTATE A PATENT
PURSUANT TO 37 C.F.R. 1.378(b)**

Dear Sir:

On July 24, 2001, U.S. Patent No. 6,264,854 (hereinafter "'854 Patent") issued to Claude Q.C. Hayes ("Patentee"). The deadline for paying the second maintenance fee for the '854 Patent was July 24, 2009. However, Patentee unavoidably failed to meet this deadline. Patentee therefore respectfully requests that the delayed payment of the maintenance fee be accepted and the '854 Patent be reinstated under 37 C.F.R. 1.378(b). It is respectfully submitted that the entire delay for payment of the second maintenance fee was unavoidable.


Under 37 C.F.R. 1.378(b), a Petition to Accept Unavoidably Delayed Payment of Maintenance Fee and Reinstate Patent must be accompanied by: (1) the required maintenance fee set forth in 37 C.F.R. 1.20(f); (2) the surcharge set forth in 37 C.F.R. 1.20(i)(1); and (3) a showing that the delay was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The showing must enumerate the steps taken to ensure timely

with Patentee's failure to timely pay the second maintenance fee associated with the '854 Patent.

For at least the foregoing reasons, it is respectfully submitted that the requirements of 37 CFR 1.378(b) are fully satisfied and that prompt reinstatement of the '854 Patent is proper. Prompt action to that effect is earnestly solicited.

Respectfully submitted,

Date: February 2, 2012


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